

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:09CR308
Plaintiff,)	
)	
vs.)	ORDER
)	
MIGUEL ANGEL CARREON-RICO,)	
)	
Defendant.)	

This matter is before the court on the motion to continue by government's counsel (Filing No. 20). Counsel seeks a continuance of the trial of this matter to November 16, 2009. Government's counsel represents that counsel for Carreon-Rico has no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. The government's motion to continue trial (Filing No. 20) is granted.
2. Trial of this matter is re-scheduled for **November 16, 2009**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **October 8, 2009 and November 16, 2009**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 8th day of October, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge